

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.

DAYCHEL SPRUILL

Plaintiff,

v.

JAKE ELWOOD, TROY HARTGROVE &
MARK LOEWEN

Defendant.

NOTICE OF REMOVAL
(PURSUANT TO 28 U.S.C. § 1441)

The Defendants Jake Elwood, Troy Hartgrove, and Mark Loewen through undersigned counsel, hereby gives notice of the removal of this action pursuant to 28 U.S.C. §§ 1441 and 1446 from the Suffolk Superior Court, where this action is currently pending. In Suffolk Superior Court, the case is docketed as Civil Action No. 2284 CV 00977 and has the same caption as above.

In support of this Notice of Removal, the Defendants state as follows:


1. This action presents one claim that the Defendants violated the Plaintiff's civil rights under 42 U.S. C. §1983 by the actions they took as police officers. Specifically, the Plaintiff alleges *inter alia* that her civil rights were violated when the police filed a "factually inaccurate police report" and charged her with several crimes which were later dismissed. See Plaintiff's Complaint, ¶¶ 7-13 attached hereto as **Exhibit "1."** The Plaintiff seeks compensatory and punitive damages, attorney's fees and further relief. See **Exhibit "1."**

2. This Court has jurisdiction over the Plaintiff's federal claim pursuant to 28 U.S.C. § 1331, and the entire action may be removed pursuant to 28 U.S.C. § 1441(c).
3. A fair reading of the facts and theories as a whole makes it apparent that federal law and issues are essential to this case and therefore the Defendants have a statutory right to remove this action.
4. Defendant's Notice of Removal has been filed within thirty (30) days from service of the Plaintiff's complaint on Troy Hartgrove. See Summons with date of services Troy Hartgrove (May 31, 2022), Jake Elwood, (June 7, 2022), Mark Loewen, (June 6, 2022) attached hereto as **Exhibit "2."**

Respectfully submitted,
DEFENDANTS

JAKE ELWOOD, TROY
HARTGROVE, and MARK LOEWEN

By their attorney,
ADAM CEDERBAUM
Corporation Counsel




Elizabeth L. Bostwick, BBO # 644498
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the Plaintiff via first class mail.

June 17, 2022
Date



Elizabeth L. Bostwick